

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2012-238

June 20, 2012

REVISION ENERGY, LLC / GWH SOLAR,  
LLC  
Request for Certification of a Community-  
Based Renewable Energy Project

ORDER APPROVING  
CERTIFICATION OF A  
COMMUNITY-BASED  
RENEWABLE ENERGY  
PROJECT

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WELCH, Chairman; LITTELL and VANNOY, Commissioners

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**I. SUMMARY**

In this Order, the Commission certifies the 25.85 kilowatt (kW) photovoltaic solar energy array at the Good Will Hinckley School in Hinckley, Maine as a Community-Based Renewable Energy Project pursuant to the provisions of Chapter 325, section 4(B) of the Commission rules.

**II. BACKGROUND**

**A. Community-Based Renewable Energy Pilot Program**

During the 2009 session, the Legislature enacted An Act to Establish the Community-based Renewable Energy Pilot Program (Act), P.L. 2009, ch. 329. Part A of the Act establishes a community-based renewable energy pilot program, to be administered by the Commission, to encourage the sustainable development of community-based renewable energy. 35-A M.R.S.A. § 3602. In summary, the Act provides incentives, on a pilot program basis, for the development of community-based renewable projects. The projects must generate electricity from an eligible renewable resource, which includes fuel cells; tidal power; solar, wind and geothermal installations; hydroelectric generators; generators fueled by landfill gas; and biomass generators whose fuel includes anaerobic digestion of agricultural products, byproducts or wastes. These projects must be "locally owned electricity generating facilities," which means that 51% or more of the facility must be owned by "qualifying local owners." The facilities must not exceed 10 MW.

The implementing rules (Chapter 325, § 4(B)) establish a certification process that allows an owner or developer of a generating project to seek Commission certification through the submission of a petition for certification as a community-based renewable energy project. The rules contain the information that must be submitted in a petition for certification, including documentation as

to whether the owners are qualifying local owners, documentation of a resolution of support passed by the local municipal legislative body and documentation of control of the site on which the project is located. Additionally, the Commission may certify a project only upon a finding that the project is reasonably likely to be in-service within three years of certification.

In its petition for certification, the project must indicate which incentive mechanism it is electing: 1) a long-term contract for the output of the facility with a transmission and distribution (T&D) utility; or 2) a renewable energy credit (REC) multiplier (in which the value of the REC is 150% of the amount of the produced electricity). Projects electing the REC multiplier are responsible for negotiating their own transactions for energy, capacity or RECs. Certified projects of less than 1 MW that elect a long-term contract can complete a standard form contract with the T&D utility at a price per kWh that has been established by the Commission. For certified projects with generating capacity of 1 MW and larger, the Commission shall periodically conduct a competitive solicitation to select projects that will be awarded a long-term contract with the T&D utility.

B. Petition for Certification

On May 17, 2012, ReVision Energy, LLC filed a petition on behalf of GWH Solar, LLC to certify a 25.85 kilowatt photovoltaic solar energy array located on the roof of the Prescott Building, Good Will Hinckley School, 16 Prescott Drive, Hinckley, Maine (the Project) as a Community-Based Renewable Energy Project. The Project consists of 110 Canadian Solar 6P235P panels, 2 Fronius 11.4-3 Inverters and associated system components that will interconnect to the Central Maine Power distribution system. Estimated annual production of electricity is 33,600 kilowatt hours (kWh). The interconnection point is a 3-pole 100 amp fused disconnect in the main AC disconnect panel in the Prescott Building utility room.

The Project is owned by GWH Solar, LLC, a wholly owned subsidiary of ReVision Energy, LLC. Both GWH Solar and ReVision Energy are Maine limited liability companies with a primary business address of 91 W. Main St., Liberty, ME 04949. ReVision Energy is owned by four individuals who are all Maine residents: William Behrens of Camden, Phillip B. Coupe of Cape Elizabeth, Fortunat Mueller of North Yarmouth and Patrick James Coon of South Portland. GWH Solar has provided a copy of a Power Purchase Agreement dated as of December 10, 2011 between Good Will Home Association (dba Good Will-Hinkley) and GWH Solar, LLC ("PPA"). The PPA contains a 20-year lease of approximately 2,200 square feet on the roof of Prescott Hall.

The Project was placed in service on December 27, 2011 and will be operated by GWH Solar/ReVision Energy. ReVision Energy is northern New England's largest solar installation company. Since 2003, ReVision has installed more than 2,500 solar systems for commercial, residential, municipal,



educational, and non-profit clients. Because the Project has a generating capacity of less than 100 kilowatts it is exempt from the requirement to obtain a resolution of support from the municipal legislative body where it is located.

The petition states that the Project intends to select the renewable energy credit multiplier as the incentive mechanism.

### III. DECISION

Based on the information provided by GWH Solar, LLC, we conclude that the Project satisfies the requirements of a community-based renewable energy project and is eligible for the 150% renewable energy credit multiplier pursuant to 35-A M.R.S.A. § 3605.

The Project is owned by GWH Solar, LLC, a wholly owned subsidiary of ReVision Energy, LLC. Both are Maine limited liability companies and ReVision Energy is owned by four Maine residents, all qualifying local owners. The Project is exempt from the requirement to demonstrate support of the municipal legislative body because it has a generating capacity of less than 100 kilowatts. The PPA between Good Will Home Association and GWH Solar contains a long-term lease of approximately 2,200 square feet of real property for the installation of the Project. The Project was placed in service in December 2011.

Accordingly, the solar array owned by GWH Solar, LCC and located on the roof of the Prescott Building, Good Will Hinckley School, 16 Prescott Drive, Hinckley, Maine is hereby certified as a Community-Based Renewable Energy Project pursuant to Chapter 325, § 4(B) of the Commission rules. ReVision Energy, LLC and/or GWH Solar, LLC shall provide timely notice to the Commission of any material change in the ownership structure or operation of the Project or any change in the election or utilization of the renewable energy credit multiplier from that described in the petition filed in this proceeding.

Dated at Hallowell, Maine, this 20<sup>th</sup> day of June, 2012.

BY ORDER OF THE COMMISSION

  
Karen Geraghty  
Administrative Director

COMMISSIONERS VOTING FOR:

Welch  
Littell  
Vannoy

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within **20** days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought. Any petition not granted within 20 days from the date of filing is denied.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21** days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.